

Message Text

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PAGE 01 STATE 307867
ORIGIN EUR-12

INFO OCT-01 ISO-00 INSE-00 FBIE-00 CA-01 L-03 COME-00
SS-15 PRS-01 HA-05 /038 R

DRAFTED BY EUR/SOV:LFWILLEMSPVB
APPROVED BY EUR/SOV:MGARRISON
DESIRED DISTRIBUTION
INS, FBI, L, CA, COMMERCE
-----019060 280220Z /66
R 272227Z DEC 77
FM SECSTATE WASHDC
TO AMEMBASSY MOSCOW
INFO AMCONSUL LENINGRAD

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E.O. 11652: N/A

TAGS: CGEN, UR, US (BAKLAN, VALENTIN GEORGIYEVICH)

SUBJECT: SOVIET EMBASSY PROTEST ABOUT SHIP JUMPER CASE

REF: STATE 303167

1. SOVIET EMBASSY SENT DEPARTMENT BY MESSENGER A DIPLOMATIC NOTE CHARGING THAT OUR NOT ARRANGING A MEETING FOR SOVIET CONSUL PONOMAREV WITH SHIP JUMPER IN NEW ORLEANS CONSTITUTED VIOLATION OF CONSUL CONVENTION.

2. FULL TEXT OF DEC 22 NOTE FOLLOWS:

3. THE EMBASSY OF THE UNION OF SOVIET SOCIALIST REPUBLICS CALLS THE U.S. DEPARTMENT OF STATE'S ATTENTION TO THE FACT THAT IN SPITE OF THE UNEQUIVOCAL PROVISIONS OF THE CONSULAR CONVENTION (ARTICLE 12, PARAGRAPH 1), THE DEPARTMENT OF LIMITED OFFICIAL USE

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PAGE 02 STATE 307867

STATE HAS PREVENTED AN EMPLOYEE OF THE CONSULAR SECTION OF THE EMBASSY FROM MEETING WITH U.S.S.R. CITIZEN VALENTIN GEORGIYEVICH BAKLAN WHO DISAPPEARED ON THE NIGHT OF DECEMBER 15-16, 1977, UNDER MYSTERIOUS CIRCUMSTANCES, FROM THE VESSEL "KAPITAN KAMINSKIY" WHILE AT THE ROADSTEAD OF NEW ORLEANS HARBOR.

AN OFFICIAL OF THE U.S. IMMIGRATION AND NATURALIZATION SERVICE AT THE NEW ORLEANS PORT DID NOT DISPUTE THE LEGALITY OF THE INTENTIONS OF THE EMBASSY'S CONSULAR OFFICER TO MEET WITH SAID SOVIET CITIZEN, WHOSE WHEREABOUTS ARE KNOWN TO THIS SERVICE, BUT HE DID STATE THAT THE DEPARTMENT OF STATE HAD ISSUED INSTRUCTIONS NOT TO ALLOW THE MEETING TO TAKE PLACE, UNDER THE COMPLETELY GROUNDLESS PRETEXT THAT A STATE DEPARTMENT REPRESENTATIVE WOULD NOT BE ABLE ALSO TO PARTICIPATE IN THE MEETING.

AT THE PRESENT TIME, SOVIET CONSULAR OFFICERS ARE NOT AUTHORIZED TO MEET WITH V. G. BAKLAN UNDER THE PRETEXT THAT HE IS NOT IN NEW ORLEANS.

THE MYSTERIOUSNESS OF THE CIRCUMSTANCES OF V. G. BAKLAN'S DISAPPEARANCE FROM THE VESSEL, AND ALSO THE POSITIONS TAKEN BY THE DEPARTMENT OF STATE AND THE AMERICAN OFFICIAL AUTHORITIES ON THE QUESTION OF A MEETING BETWEEN HIM AND SOVIET CONSULAR OFFICERS, CASTS DOUBT ON THE VERSION ADVANCED BY THE AMERICAN SIDE THAT HE LEFT THE VESSEL ON HIS OWN FREE WILL AND APPEALED TO THE IMMIGRATION AUTHORITIES FOR HELP.

THE EMBASSY LODGES A PROTEST WITH THE DEPARTMENT OF STATE WITH REGARD TO THE AMERICAN SIDE'S VIOLATION OF THE PROVISION OF THE SOVIET-AMERICAN CONSULAR CONVENTION WHICH LIMITED OFFICIAL USE

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PAGE 03 STATE 307867

CLEARLY SPECIFIES THE RIGHT OF A CONSULAR OFFICER "WITHIN HIS DISTRICT TO MEET WITH, COMMUNICATE WITH, ASSIST, AND ADVISE ANY NATIONAL OF THE SENDING STATE AND, WHERE NECESSARY, ARRANGE FOR LEGAL ASSISTANCE FOR HIM."

THE EMBASSY EXPECTS THAT THE DEPARTMENT OF STATE WILL TAKE MEASURES TO GIVE A REPRESENTATIVE OF THE CONSULAR SECTION OF THE EMBASSY THE OPPORTUNITY TO PROMPTLY MEET FOR A DISCUSSION WITH CITIZEN V. G. BAKLAN.
WASHINGTON, D.C., DECEMBER 22, 1977. END TEXT. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 27-Dec-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE307867
Document Source: CORE
Document Unique ID: 00
Drafter: LFWILLEMSPVB
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770482-0773
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19771215/aaaaalyc.tel
Line Count: 104
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: e5560efd-c188-dd11-92da-001cc4696bcc
Office: ORIGIN EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 303167
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 14-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 125970
Secure: OPEN
Status: NATIVE
Subject: SOVIET EMBASSY PROTEST ABOUT SHIP JUMPER CASE
TAGS: CGEN, UR, US, (BAKLAN, VALENTIN GEORGIYEVICH)
To: MOSCOW
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/e5560efd-c188-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009